

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

ORDER
13-CV-767-A

\$6,160.00 IN UNITED STATES CURRENCY,

Defendant.

The above-referenced case was referred to Magistrate Judge Jeremiah J. McCarthy pursuant to 28 U.S.C. § 636(b)(1) for pretrial proceedings. On April 24, 2014, Magistrate Judge McCarthy filed a Report and Recommendation (Dkt. No. 23) recommending that the United States' motion to strike the claim of claimants Mark F. Shanks and Mark W. Shanks (Dkt. No. 12) be granted in part and denied in part.

The Court has carefully reviewed the Report and Recommendation, the record in the case, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge McCarthy's Report and Recommendation, the plaintiff's motion to strike [12] is granted as to claimant Mark F. Shanks and is denied as to claimant Mark W. Shanks. The case is recommitted to Magistrate Judge McCarthy for further

proceedings.

IT IS SO ORDERED.

Richard J. Arcara
HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT COURT

Dated: May 16, 2014